

REMARKS

Claims 1-10 and 15-29 are pending in the application. Notice that claims 20, 23 and 24 have been allowed is greatly appreciated. Claim 29 is canceled herewith.

With this amendment claims 1 and 25 have been amended to further define that the claimed inward curved edge section has a first end and a second end, with the first end joining with the lateral wall in a common wall section, and the second end merging into an essentially horizontal lid bottom middle section. Support for the amendment is clearly shown in the Figures, especially 2A and 4 wherein the inward curved edge section 14 is shown having an end connected to horizontal middle part 12 and an end joining with the lateral wall 16 in the common wall section 15. Support is further set forth in at least the first full paragraph on page 9.

Regarding claim 26, page 9, third full paragraph states that the curved section 14 is characterized by the curvature radius R. As illustrated in the drawings, the curved edge section 14 consists of a single inward curved portion, that has an essentially vertical section at one end in the area the common wall 15, see former claimer 29 and also immediately merges into an essentially horizontal lid bottom middle section at the second end.

Accordingly, no new matter has been added.

Claims 1-8, 16-18 and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vannoy et al. U.S. Patent 5,830,348 in view of Verlinden U.S. Patent No. 3,958,904. Claims 9, 10, 19 and 21 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Vannoy '348 and Verlinden '904 and further in view of Stifano, U.S. Patent No. 4,109,820. Claim 15 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Vannoy '348 and Verlinden '904 and Gizowski et al U.S. Publication No. 2001/0000894 A1.

The Examiner states that Vannoy teaches the lid having a curved edge section that merges into an essentially horizontal lid bottom middle section, Figure 1, column 4, lines 8-17 but that Vannoy does not teach that the lid bottom merges with the lateral wall in the direction of the peripheral wall along an inward curved edge section, tapering inwards, in a forming region, or that extends one section of the common wall section to the peripheral wall. Regarding the curved edge section merging into an essentially

horizontal lid bottom middle section, the Examiner states that Vannoy teaches such a feature as clearly seen in Figure 1 where element 40 extends from the middle horizontal lid bottom section.

It is respectfully submitted that the cited references cannot render the claims of the invention obvious. Independent claims 1 and 25 have amended to further define the inward curved edge section 14 as illustrated in Figures 2A and 4 has a first end that merges with lateral wall 16 joining in common wall section 15 and a second end that merges into the essentially horizontal lid bottom middle section. Thus, the ends of the curved edge section 14 are connected to and thus located between the common wall section 15 and the essentially horizontal lid bottom middle section. 12 As specifically claimed, Vannoy includes a scope and content that does not teach or suggest the same. Furthermore, the possibility mentioned by the Examiner of the element 40 extending from the horizontal lid bottom section is excluded. Moreover, as emphasized above, Applicants in fact claim an inward curved edge section. To the contrary the feature pointed out by the Examiner and Vannoy is not an inward curved edge section. Likewise, Verlinden, lacking the essentially horizontal lid bottom middle section cannot include a scope and content that teaches or suggests the indicated limitations.

Regarding independent claim 26, the same has been amended to define that the curved edge section consists of a single curved portion having a radius of curvature R wherein the curved edge section has an essentially vertical section at one end in the area of the common wall section and immediately merges into an essentially horizontal lid bottom middle section at the second end, see for example Figures 2A and 4.

It is respectfully submitted that is unclear how one of ordinary skill in the art would be led to combine the features of Vannoy with the features of the Verlinden reference, as the Verlinden reference lacks the claimed essentially horizontal lid bottom middle section at a second end and Vannoy lacks a common wall section in a forming region connected to a first end of the inward curved edge section as set forth in claims 1 and 25.

Furthermore, neither reference includes the claim 26 curved edge section consisting of a single curved portion having a radius of curvature where the curved edge section has an essentially vertical section at one end in the area the common wall

section and immediately merges into an essentially horizontal lid bottom middle section at the second end.

It is respectfully submitted that the invention is more than a predictable result of the combination of Vannoy and Verlinden and the specifically claimed features act together to reduce the pressures on the lid, such as described on page 4 of the specification.

Moreover, the structures of Vannoy and Verlinden are distinctly different and each uses a different mechanism to connect the lid to the container. For example, Figures 4 and 5 of Verlinden in column 4, lines 62 through column 5, line 11, teach utilizing retaining member 44 in the form of a conically tapering hollow sleeve that is driven into two bores 35 and 36 or spot welds 15, 16 to connect the lid and container. Vannoy, to the contrary teaches, as illustrated in Figure 1 of Vannoy, the end cap 16 crimped around the outer end of body 14.

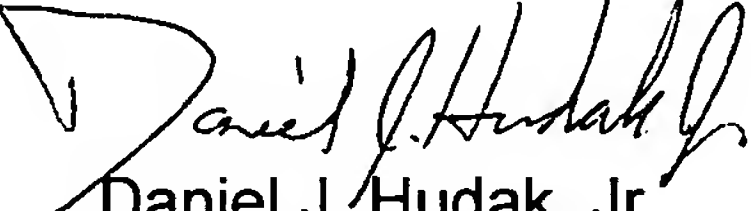
There is no recognition in either of the references for providing the claimed inward curved edge section connected as claimed to both the common wall section and the essentially horizontal lid bottom middle section, wherein forces acting on the lid due to the internal pressure are weakened in the edge area and also are used for generating a sealing force.

It is respectfully submitted that the claimed limitations are more than predictable results and it is unclear what a person of ordinary skill in the art would have known or could have done when in possession of the Vannoy and Verlinden references. The nature of the problem to be solved, namely reducing the internal pressure on the lid and further generating a sealing force would not have led one of ordinary skill in the art to choose individual, isolated features from Vannoy and Verlinden and combine the same. As indicated hereinabove, Verlinden teaches the use of retaining member 44 or spot welds 15, 16 to connect a lid to the container and Vannoy utilizes a crimped edge of the lid bottom extending over body 14.

Should the Examiner have any questions or concerns regarding the amendment, a telephone call to the undersigned is greatly appreciated.

Respectfully submitted,

HUDAK, SHUNK & FARINE CO. LPA


Daniel J. Hudak, Jr.
Registration No. 47,669

DJHjr/dp

2020 Front St., Suite 307
Cuyahoga Falls, OH 44221
330-535-2220

Attorney Docket No.: FMW-CQ-PCT-US (B1872 US)